Notice of Allowability	Application No.	Applicant(s)	
	10/767,323	DURNIN, TIMOTHY	
	Examiner	Art Unit	
	Sebastiano Passaniti	3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *telephone interview of 04/04/2006*.

2. ☒ The allowed claim(s) is/are *2,3,5,8-21,39-52,56,57,61,63-65,67-70,72,74,75,77-81 and 84-94*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *4/14/06* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/S. Passaniti/
Sebastiano Passaniti
Primary Examiner

DETAILED ACTION

This Office action is responsive to a telephone interview with applicant's attorney on 04/04/2006.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Broder (Reg. No 43,514) on April 04, 2006. During said interview, applicant's amendments, received by facsimile on 03/28/2006, were discussed. The proposed claim language for substantially all of the claims was agreed upon, as the proposed claims incorporated subject matter indicated as allowable in the last Office action, mailed 03/10/2006. Newly proposed claim 92 was further discussed and it was agreed to modify claim 92 to further highlight the transition plane demarcating the heel and toe regions, this in an effort to more closely parallel the language between claims 84 and 92.

The application has been amended as follows:

IN THE CLAIMS:

The current state of the claims is as indicated by the section "**Status of All Claims in the Application**" (pages 5-20), attached to this Office action.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The newly cited references to Link (Des. 138,441), Link (Des. 138,438) and Mothersele (U.S. Patent 1,497,578) each show a sole configuration of interest. However, neither of the Link Design Patents show, suggest or otherwise render obvious the inclusion of a first sole cavity having a first sole insert placed therein along with a second sole cavity having a second sole insert placed therein. The prior art to Mothersele does not show, suggest or otherwise render obvious the inclusion of a second sole cavity having a second volume that is greater than the volume of a first sole cavity. Moreover, each of the newly cited references is directed to a club of the wood-type. The claimed invention further distinguishes over the newly cited references, since the claimed invention is directed to a golf putter including a putter body. In this case, the term "golf putter" is a term recognized in the art and as shown by applicant's drawings and is further given a specific meaning, whereby the term "golf putter" by definition in the art characterizes a golfing implement that is distinct in both shape and function from a wood-type or iron-type club head.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 571-272-4413. The examiner can normally be reached on Monday through Friday (6:30AM - 3:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene L. Kim can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sebastiano Passaniti
Primary Examiner

S.Passaniti/sp
April 14, 2006

Status of All Claims in the Application:

1. (Canceled)

2. (Previously Presented) The golf putter of claim 85 wherein the first sole insert is positioned partly in the heel region and partly in the toe region.

3. (Previously Presented) The golf putter of claim 85 wherein the heel weight has a weight that is substantially similar to a weight of the toe weight.

4. (Canceled)

5. (Previously Presented) The golf putter of claim 85 wherein the second specific gravity and the third specific gravity are each substantially similar to the fourth specific gravity.

6-7. (Canceled)

8. (Previously Presented) The golf putter of claim 85 wherein the sole region has a sole surface, and wherein the triangle forms an angle with the sole surface that is greater than approximately 5 degrees and less than approximately 45 degrees.

9. (Previously Presented) The golf putter of claim 85 wherein the fourth specific gravity is at least 50% greater than the first specific gravity.

10. (Previously Presented) The golf putter of claim 85 further comprising a second sole insert, and wherein the sole region defines a second sole cavity that receives the second sole insert.

11. (Original) The golf putter of claim 10 wherein the first sole insert has a different volume than the second sole insert.

12. (Original) The golf putter of claim 10 wherein at least one of the sole inserts is positioned partly in the heel region and partly in the toe region.

13. (Previously Presented) The golf putter of claim 10 wherein the second sole insert is formed substantially from a material having a fifth specific gravity that is lower than the fourth specific gravity.

14. (Previously Presented) The golf putter of claim 13 wherein the fourth specific gravity is at least 300% greater than the fifth specific gravity.

15. (Previously Presented) The golf putter of claim 85 wherein the triangle has two sides having the approximately the same length as one another.

16. (Previously Presented) The golf putter of claim 85 wherein the putter body includes an upper cavity, the golf putter further comprising an upper region insert that is positioned in the upper cavity, the upper region insert substantially facing an opposite direction from the first sole insert, the upper region insert having a substantially circular shape.

17. (Original) The golf putter of claim 16 wherein the upper region insert has a diameter of greater than approximately 1.00 inches and less than 1.60 inches.

18. (Previously Presented) The golf putter of claim 16 wherein the upper region insert includes an alignment guide to align the putter body with the ball prior to striking the ball.

19. (Original) The golf putter of claim 18 wherein the alignment guide is positioned substantially perpendicularly to an axis that extends between the heel weight and the toe weight.

20. (Previously Presented) The golf putter of claim 18 wherein the putter body includes a V-shaped alignment channel that defines a plane that is positioned substantially orthogonally to the alignment guide.

21. (Previously Presented) The golf putter of claim 16 wherein the upper region insert is substantially white in color.

22-38. (Canceled)

39. (Previously Presented) The golf putter of claim 84 wherein the second sole insert is substantially formed from a material having a specific gravity that is at least approximately 100% greater than the specific gravity of a material that substantially forms the first sole insert.

40. (Previously Presented) The golf putter of claim 84 wherein the second sole insert is substantially formed from a material having a specific gravity that is at least approximately 500% greater than the specific gravity of a material that substantially forms the first sole insert.

41. (Previously Presented) The golf putter of claim 84 wherein at least one of the sole inserts is formed substantially from a material having a specific gravity that is greater than a specific gravity of a material used to substantially form the putter body.

42. (Previously Presented) The golf putter of claim 84 wherein the putter body includes a face region that is adapted to strike the ball while putting, and wherein the second sole insert is positioned further from the face region than the first sole insert.

43. (Previously Presented) The golf putter of claim 84 wherein the putter body has a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the golf putter further comprising (i) a heel weight that is secured to the heel region, the heel weight being formed substantially from a material having a specific gravity that is greater than a specific gravity of a material used to substantially form the putter body, and (ii) a toe weight that is secured to the toe region, the toe weight being spaced apart from the heel weight, the toe weight being formed substantially from a material having a specific gravity that is greater than the specific gravity of the material used to substantially form the putter body.

44. (Original) The golf putter of claim 43 wherein the heel weight, the toe weight and the first sole insert each includes a center of gravity, and wherein the center of gravity of the heel weight, the toe weight and the first sole insert form vertices of a triangle having two sides that are approximately the same length.

45. (Previously Presented) The golf putter of claim 44 wherein the putter body includes a face region that strikes the ball during putting and a back region, and wherein the triangle defines a plane that slopes in a downward direction moving from the face region toward the back region when one of the sole inserts is in contact with the surface.

46. (Previously Presented) The golf putter of claim 84 wherein the second sole insert has a volume that is less than 50% of a volume of the first sole insert.

47. (Previously Presented) The golf putter of claim 84 wherein the putter body includes a face region that is adapted to strike the ball during putting, and wherein the entire second sole insert is positioned further from the face region than the first sole insert.

48. (Previously Presented) The golf putter of claim 84 wherein the material that forms one of the sole inserts is selected from the group consisting of plastic and epoxy.

49. (Currently Amended) The golf putter of claim 84 further comprising a substantially circular upper region insert, and wherein the putter body includes an upper region that is substantially opposite the sole region, the upper region including an upper region cavity that receives the upper region insert, the upper region insert having a specific gravity that is lower than the specific gravity of the second sole insert.

50. (Original) The golf putter of claim 49 wherein the upper region insert has a diameter that is greater than approximately 1.00 inches and less than 1.60 inches.

51. (Previously Presented) The golf putter of claim 84 wherein the first sole insert has a different shape than the second sole insert.

52. (Previously Presented) The golf putter of claim 84 wherein the second sole insert is substantially wedge-shaped.

53-55. (Canceled)

56. (Currently Amended) The method of claim [[55]] 92 further comprising the steps of (i) forming a heel weight from a material having a specific gravity that is greater than the first specific gravity, (ii) forming a toe weight from a material having a specific gravity that is greater than the first specific gravity, and (iii) positioning the heel weight in the heel region and positioning the toe weight in the toe region so that a center of gravity of the heel weight, a center of gravity of the toe weight, and a center of gravity of the second sole insert define a triangle having two sides that are approximately of equal length.

57. (Original) The method of claim 56 wherein the steps of positioning the heel weight and positioning the toe weight include defining a plane with the center of gravity of the heel weight, the center of gravity of the toe weight, and the center of gravity of the second sole insert that slopes downward as the plane moves from the center of gravity of the heel region and the center of gravity of the toe region toward the center of gravity of the second sole region.

58-60. (Canceled).

61. (Previously Presented) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body being formed substantially from a material having a first specific gravity, the putter body including (i) a sole region that defines a first sole cavity, (ii) a face region that strikes the ball during putting, and (iii) a back region;

a heel weight that is secured to the heel region, the heel weight being formed substantially from a material having a second specific gravity that is greater than the first specific gravity, the heel weight having a center of gravity;

a toe weight that is secured to the toe region, the toe weight being spaced apart from the heel weight, the toe weight being formed substantially from a material having a third specific gravity that is greater than the first specific gravity, the toe weight having a center of gravity; and

a first sole insert that is inserted into the first sole cavity, the first sole insert being formed substantially from a material having a fourth specific gravity that is greater than the first specific gravity, the first sole insert having a center of gravity;

wherein the center of gravity of the heel weight, the toe weight and the first sole insert form vertices of a triangle having two sides that are approximately the same length, the triangle defining a plane that is angled in a downwardly direction moving from the face region toward the back region when the sole insert is in contact with the surface.

62. (Canceled)

63. (Currently Amended) The golf putter of claim [[62]] 87 wherein the second specific gravity is greater than the first specific gravity.

64. (Currently Amended) The golf putter of claim [[62]] 87 wherein the third specific gravity is less than the first and second specific gravities.

65. (Previously Presented) The golf putter of claim 64 wherein the second specific gravity is greater than the first specific gravity.

66. (Canceled)

67. (Currently Amended) The golf putter of claim [[66]] 86 wherein the heel weight, the toe weight and the first sole insert each includes a center of gravity, and wherein the center of gravity of the heel weight, the toe weight and the first sole insert form vertices of a triangle having two sides that are approximately the same length.

68. (Currently Amended) The golf putter of claim [[66]] 86 wherein the putter body includes a face region that strikes the ball during putting and a back region, wherein the heel weight, the toe weight and the first sole insert each includes a center of gravity, and wherein the center of gravity of the heel weight, the toe weight and the first sole insert form vertices of a triangle that defines a plane sloping in a downwardly direction moving from the face region toward the back region when one of the sole inserts is in contact with the surface.

69. (Currently Amended) The golf putter of claim [[62]] 87 wherein the first sole insert has a volume that is less than approximately 50% of a volume of the second sole insert.

70. (Currently Amended) The golf putter of claim [[62]] 86 wherein the putter body includes a face region that is adapted to strike the ball during putting, and wherein at least a portion of the first sole insert is positioned further from the face region than the second sole insert.

71. (Canceled)

72. (Currently Amended) The golf putter of claim [[62]] 87 wherein each of the sole inserts is positioned substantially symmetrically relative to the transition plane.

73. (Canceled)

74. (Currently Amended) The golf putter of claim [[73]] 89 wherein the upper region insert is substantially white in color and has a diameter that is greater than approximately 1.00 inches and less than 1.60 inches.

75. (Currently Amended) The golf putter of claim [[62]] 87 wherein the volume of the first sole insert is approximately the same as the volume of the first sole cavity.

76. (Canceled)

77. (Currently Amended) The golf putter of claim [[76]] 90 wherein the first sole insert is substantially formed from a material having a first specific gravity, and the second sole insert is substantially formed from a material having a second specific gravity that is different than the first specific gravity.

78. (Previously Presented) The golf putter of claim 77 wherein the first specific gravity is at least approximately 300% greater than the second specific gravity.

79. (Currently Amended) The golf putter of claim [[76]] 90 wherein the first volume is less than approximately 50% of the second volume.

80. (Currently Amended) The golf putter of claim [[76]] 90 wherein the putter body includes a face region that is adapted to strike the ball during putting, and wherein the entire first sole insert is positioned further from the face region than the second sole insert.

81. (Currently Amended) The golf putter of claim [[76]] 90 wherein each of the sole cavities is positioned partly in the heel region and partly in the toe region.

82-83. (Canceled)

84. (Currently Amended) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body including a sole region that defines a first sole cavity having a first volume and a second sole cavity having a second volume that is greater than the first volume, at least one of the sole cavities being positioned partly in the heel region and partly in the toe region~~, the putter body being substantially formed from a material having a first specific gravity~~;

a first sole insert that is inserted into the first sole cavity; and

a second sole insert that is inserted into the second sole cavity.

85. (Previously Presented) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a substantially centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body being formed substantially from a material having a first specific gravity, the putter body including (i) a sole region that defines a first sole cavity, (ii) a face region that strikes the ball during putting, and (iii) a back region;

a heel weight that is secured to the heel region, the heel weight being formed substantially from a material having a second specific gravity that is greater than the first specific gravity, the heel weight having a center of gravity;

a toe weight that is secured to the toe region, the toe weight being spaced apart from the heel weight, the toe weight being formed substantially from a material having a third specific gravity that is greater than the first specific gravity, the toe weight having a center of gravity; and

a first sole insert that is inserted into the first sole cavity, the first sole insert being formed substantially from a material having a fourth specific gravity that is greater than the first specific gravity, the first sole insert having a center of gravity;

wherein the center of gravity of the heel weight, the toe weight and the first sole insert form vertices of a triangle that defines a plane that is angled in a downwardly direction moving from the face region toward the back region when the sole insert is in contact with the surface.

86. (New) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body including a sole region that defines a first sole cavity and a second sole cavity, each sole cavity being positioned partly in the heel region and partly in the toe region, the putter body being formed substantially from a material having a first specific gravity;

a first sole insert that is inserted into the first sole cavity, the first sole insert being formed substantially from a material having a second specific gravity that is different from the first specific gravity;

a second sole insert that is inserted into the second sole cavity, the second sole insert being formed substantially from a material having a third specific gravity that is different than the first and second specific gravities;

a heel weight that is secured to the heel region, the heel weight being formed substantially from a material having a fourth specific gravity that is greater than the first specific gravity; and

a toe weight that is secured to the toe region, the toe weight being spaced apart from the heel weight, the toe weight being formed substantially from a material having a fifth specific gravity that is greater than the first specific gravity.

87. (New) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body including (i) a sole region that defines a first sole cavity and a second sole cavity, each sole cavity being positioned partly in the heel region and partly in the toe region, and (ii) a face region that is adapted to strike the ball during putting, the putter body being formed substantially from a material having a first specific gravity;

a first sole insert that is inserted into the first sole cavity, the first sole insert being formed substantially from a material having a second specific gravity that is different from the first specific gravity; and

a second sole insert that is inserted into the second sole cavity, the second sole insert being formed substantially from a material having a third specific gravity that is different than the first and second specific gravities;

wherein at least a portion of the first sole insert is positioned further from the face region than the second sole insert.

88. (New) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body including (i) a sole region that defines a first sole cavity and a second sole cavity, each sole cavity being positioned partly in the heel region and partly in the toe region, and (ii) a face region that is adapted to strike the ball during putting, the putter body being formed substantially from a material having a first specific gravity;

a first sole insert that is inserted into the first sole cavity, the first sole insert being formed substantially from a material having a second specific gravity that is different from the first specific gravity; and

a second sole insert that is inserted into the second sole cavity, the second sole insert being formed substantially from a material having a third specific gravity that is different than the first and second specific gravities;

wherein the entire first sole insert is positioned further from the face region than the second sole insert.

89. (New) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body including (i) a sole region that defines a first sole cavity and a second sole cavity, each sole cavity being positioned partly in the heel region and partly in the toe region, and (ii) an upper region that is substantially opposite the sole region, the upper region including an upper region cavity, the putter body being formed substantially from a material having a first specific gravity;

a first sole insert that is inserted into the first sole cavity, the first sole insert being formed substantially from a material having a second specific gravity that is different from the first specific gravity;

a second sole insert that is inserted into the second sole cavity, the second sole insert being formed substantially from a material having a third specific gravity that is different than the first and second specific gravities; and

a substantially circular upper region insert that is at least partially positioned within the upper region cavity, the upper region insert having a fourth specific gravity that is less than the first specific gravity.

90. (New) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body including (i) a sole region that defines a first sole cavity having a first volume and a second sole cavity having a second volume that is greater than the first volume, and (ii) an upper region that is substantially opposite the sole region, the putter body being substantially formed from a material having a first specific gravity;

a first sole insert that is positioned with the first sole cavity, the first sole insert having a volume that is approximately the same as the first volume;

a second sole insert that is positioned within the second sole cavity, the second sole insert having a volume that is approximately the same as the second volume; and

a substantially circular upper region insert that is secured to the upper region, the upper region insert having a second specific gravity that is lower than the first specific gravity, the upper region insert having a diameter that is greater than approximately 1.00 inches and less than 1.60 inches.

91. (New) A golf putter for putting a ball along a surface, the golf putter comprising:

a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region, the putter body including (i) a sole region that defines a first sole cavity having a first volume and a second sole cavity having a second volume that is greater than the first volume, (ii) a face region that strikes the ball during putting, and (iii) a back region;

a first sole insert that is positioned with the first sole cavity, the first sole insert having a volume that is approximately the same as the first volume;

a second sole insert that is positioned within the second sole cavity, the second sole insert having a volume that is approximately the same as the second volume;

a heel weight that is secured to the heel region, the heel weight being formed substantially from a material having a specific gravity that is greater than a specific gravity of the material that substantially forms the putter body; and

a toe weight that is secured to the toe region, the toe weight being spaced apart from the heel weight, the toe weight being formed substantially from a material having a specific gravity that is greater than the specific gravity of the material that substantially forms the putter body;

wherein the heel weight, the toe weight and the first sole insert each has a center of gravity, and wherein the center of gravity of the heel weight, the toe weight and the first sole insert form vertices of a triangle that defines a plane sloping in a downwardly direction moving from the face region toward the back region when one of the sole inserts is in contact with the surface.

92. (New) A method of manufacturing a golf putter, the method comprising the steps of:

providing a putter body having a centrally positioned transition plane that demarcates the putter body into a heel region and a toe region;

forming a first sole cavity in the putter body of the putter so that the first sole cavity has a first volume;

forming a second sole cavity in the putter body of the putter so that the second cavity has a second volume that is greater than the first volume;

positioning one of the sole cavities partly in the heel region and partly in the toe region of the putter body;

positioning a first sole insert in the first sole cavity; and

positioning a second sole insert in the second sole cavity.

93. (New) The method of claim 92 wherein the step of positioning a first sole insert includes providing a first sole insert having a first specific gravity, and the step of positioning a second sole insert includes providing a second sole insert having a second specific gravity that is different than the first specific gravity.

94. (New) The method of claim 92 wherein the step of positioning one of the sole cavities includes positioning both of the sole cavities partly in the heel region and partly in the toe region of the putter body.